

**UNITED STATES BANKRUPTCY COURT
Southern District of New York**

In re: 440 West 164th Street Housing Development Fund Cor

Bankruptcy Case No.:
15-20003-rdd

Inna Khiterer, individually and derivatively on behalf of 440 West 164th Street
Housing Development Fund Corporation

Plaintiff(s),

–against–

Adversary Proceeding No.
15-08276-rdd

440 West 164th Street Housing Development Fund Corporation
Mark Schwartz
John Does "1" Through "50"
FIA 164 Holdings LLC

Defendant(s)

**SUMMONS AND NOTICE OF PRETRIAL CONFERENCE
IN AN ADVERSARY PROCEEDING**

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days, to:

Address of Clerk:

**Clerk of the Court
United States Bankruptcy Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601**

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney:

**Douglas J. Pick
Pick & Zabicki LLP
369 Lexington Avenue, 12th Floor
New York, NY 10017**

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a pretrial conference of the proceeding commenced by the filing of the complaint will be held at the following time and place:

United States Bankruptcy Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Room: Courtroom 118, White Plains
Courthouse, 300 Quarropas Street, White
Plains, NY 10601

Date and Time: 7/28/15 at 10:00 AM

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR
CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT
MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

Dated: 5/19/15

Vito Genna

Clerk of the Court

By: /s/ Claire Logue Togher

Deputy Clerk